

Applicant or Patentee: Gerald QUAPT et al.Attorney Docket: 31833-150836 RKApplication or Patent No.: Not Yet AssignedFiled or Issued: ConcurrentlyFor: DEVICE FOR ANALYZING IMMUNOASSAYS# 2  
PY  
10.17.00**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

☐ the owner of the small business concern identified below.☒ an official of the small business concern empowered to act on behalf of the concern identified below:NAME OF CONCERN Stiftung für Diagnostische ForschungADDRESS OF CONCERN CH-1785 Cressier/ sur Morat, Switzerland

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 12 C.F.R. §§ 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other, either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled DEVICE FOR ANALYZING IMMUNOASSAYS, by inventor(s) Gerald QUAPT and Manfred SCHAWALLER described in the

☒ the specification filed herewith.☐ Application No. \_\_\_\_\_, filed \_\_\_\_\_☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below,\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. § 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. 37 C.F.R. § 1.27.

NAME Leuze Electronic GmbH & Co.ADDRESS In der Braike 1, D-73277 Owen/Tech, Germany☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. § 1.28(b).

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

H. Heyne

TITLE OF PERSON OTHER THAN OWNER

Geschäftsführer

ADDRESS OF PERSON SIGNING

Leuze electronic GmbH + Co.

SIGNATURE

H. Heyne

DATE

19.7.2000

VENABLE

Washington, D.C. 20005

DC2DOCST1228412

**BEST AVAILABLE COPY**

Applicant or Patentee: Gerald QUAPIL et al.

Application or Patent No.: Not Yet Assigned

Filed or Issued: Concurrently

For: DEVICE FOR ANALYZING IMMUNOASSAYS

Attorney Docket: 31833-150836 RK

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below;

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

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ADDRESS OF CONCERN In der Braike 1, D-73277 Owen/Tech, Germany

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I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled DEVICE FOR ANALYZING IMMUNOASSAYS by inventor(s) Gerald QUAPIL and Manfred SCHAWALLER described in the

☒ the specification filed herewith.

☐ Application No. \_\_\_\_\_, filed \_\_\_\_\_

☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

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NAME Stiftung für Diagnostische Forschung

ADDRESS CH-1785 Cressier / sur Morat, Switzerland

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I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING STEINER Jean-Jacques

TITLE OF PERSON OTHER THAN OWNER Member

ADDRESS OF PERSON SIGNING 3280 Hurten, Combette 15

Jean ADAM

President

CHATEAU, 1785 CRESSIER FR

SIGNATURE [Signature]

DATE 8/3/2000

Applicant or Patentee: Gerald QUAPIL and Manfred SCHAWALLER  
 Application or Patent No.: Not Yet Assigned  
 Filed: Concurrently  
 For: DEVICE FOR ANALYZING IMMUNOASSAYS

Attorney Docket: 31833-150836 RK

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

As the below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. § 1.9(c) for purposes of paying reduced fees under sections 41(a) and (b) of Title 35, United States Code, to the U.S. Patent and Trademark Office with regard to the invention entitled DEVICE FOR ANALYZING IMMUNOASSAYS described in

- ☒ the specification filed herewith.  
☐ Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_  
☐ Patent No. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed, or licensed and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization  
☒ persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. 37 C.F.R. § 1.27.

NAME Leuze Electronic GmbH & Co.  
 ADDRESS In der Braike 1, D-73277 Owen/Teck, Germany  
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME Stiftung für Diagnostische Forschung  
 ADDRESS CH-1785 Cressier/sur Morat, Switzerland  
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Gerald QUAPIL  
 NAME OF INVENTOR  
[Signature]  
 SIGNATURE OF INVENTOR  
23. Aug. 2000  
 DATE

Manfred SCHAWALLER  
 NAME OF INVENTOR  
[Signature]  
 SIGNATURE OF INVENTOR  
9. Aug 2000  
 DATE

NAME OF INVENTOR  
SIGNATURE OF INVENTOR  
DATE

DECLARATION FOR UNITED STATES PATENT APPLICATION  
POWER OF ATTORNEY, DESIGNATION OF CORRESPONDENCE ADDRESS

Attorney Docket  
**31833-150836 RK**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled DEVICE FOR ANALYZING IMMUNOASSAYS, the specification of which

[X] is attached hereto.

[ ] was filed on \_\_\_\_\_ as Application No. \_\_\_\_\_, and was amended on \_\_\_\_\_ if applicable].  
[ ] was filed under the Patent Cooperation Treaty on \_\_\_\_\_ Serial No. \_\_\_\_\_ the United States of America being designated.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent, utility model, design or inventor's certificate listed below and have also identified below any foreign application(s) for patent, utility model, design or inventor's certificate having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Date Filed	Yes	No
99 116 534.1	Europe	August 24, 1999	X	

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: George H. Soencer (Reg. No. 18,038), Norman N. Kunitz (Reg. No. 20,586), Robert J. Frank (Reg. No. 19,112), Gabor J. Kelenyi (Reg. No. 21,016), Robert Kinberg (Reg. No. 26,924), Ashley J. Wells (Reg. No. 29,847), Allen Wood (Reg. No. 28,134), James R. Burdett (Reg. No. 31,594) Suite 1000, 1201 New York Avenue, N.W., Washington, D.C. 20005-3917, Telephone: (202) 962-4800, Telefax: (202) 962-8300.

Address all correspondence to VENABLE, P.O. Box 34385, Washington, D.C. 20043-9598.

The undersigned hereby authorizes the U.S. attorneys named herein to accept and follow instructions from the undersigned's assignee, if any, and/or, if the undersigned is not a resident of the United States, the undersigned's domestic attorney, patent attorney or patent agent, as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature: \_\_\_\_\_

First/Joint Inventor: Gerald Quapil

Citizenship: Germany

Residence and Post Office Address: Rebenweg 1, D-73277 Owen/Teck, Germany

Date: 1.08.2000, 2000.

Signature: \_\_\_\_\_

Second/Joint Inventor: Manfred Schiawaller

Citizenship: Switzerland

Residence and Post Office Address: CH-1785 Cressier/Au Village, Switzerland

Date: 24. July, 2000.

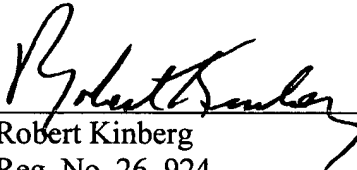
STATEMENT ACCOMPANYING INVENTOR DECLARATION

ATTORNEY DOCKET: 31833-150836 RK

TITLE: "DEVICE FOR ANALYZING IMMUNOASSAYS"

INVENTORS : GERALD QUAPIL AND MANFRED SCHAWALLER

An identical copy of the specification, claims and abstract attached to the inventor declaration filed herewith was sent to applicants' domestic patent attorney on May 2, 2000 together with the formal papers requesting that the papers be signed and returned with the application for filing in the United States Patent and trademark Office. The undersigned received a letter dated May 8, 2000, indicating that the text of the application was acceptable and would be submitted to the inventors for review in connection with the signature of the inventor declaration. However, applicants' domestic patent counsel advised that a correction to Figure 1 of the drawings would be made by inserting the reference numeral "2" with a lead line arrow. The undersigned received a facsimile letter from applicants' domestic patent attorney dated August 8, 2000 enclosing a copy of the signed inventor declaration and a copy of Figure 1 revised as noted above, and initialed and dated by both inventors prior to or concurrently with the signing of the inventor declaration. A copy of the application was not enclosed and no other pages were indicated by applicants' domestic patent attorney as being changed and in fact no other changed pages were received with the August 8, 2000 letter. Based on the above, the undersigned states, on information and belief, that the application that was reviewed by the inventors at the time they signed the inventor declaration was identical to the copy submitted concurrently herewith and that the only page of the application changed by the inventors was the sheet of drawings containing Figure 1 and that changed page is properly initialed and dated by both inventors.

  
Robert Kinberg  
Reg. No. 26, 924

Date: 8/24/00